GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVANTS – Prohibition & Excise Department – Sri P.Nagabhusanam, P&E Inspector (Retired) involved in the liquor syndicate case of East Godavari District – Implemented the orders dated 30.12.2020 in W.P.No.3286 of 2020 of Hon'ble High Court - Sanctioned Pensionary benefits – Implemented the orders dated 23.02.2023 in W.P.No.4463 of 2023 filed by Sri P.Nagabhusanam, P&E Inspector (Retired) for payment of interest on delayed pensionary benefits – Orders – Issued.

REVENUE (VIGILANCE-IV) DEPARTMENT

G.O.Rt.No.765 **Dated:17.08.2023**

Read the following:-

1. From the DG, ACB, Lr.Rc.No.63/RCO-REG/2012, Dated: 06-11-2012 (Cr.No.3/RCO-RJY/2012).
2. Govt. Memo.No.49990/VIG.V(2)/2012-1, dated:16-01-2013
3. Orders dated 30.12.2020 of Hon'ble High Court in W.P.No.3286 of 2020 filed by Sri P.Nagabhusanam, P&EI (Retired)
4. Contempt Cse No.2038/2021 filed by Sri P. Nagabhushanam, P&E Inspector (Retired).
5. G.O.Rt.No.807, Rev(Vig.I) Dept, dated:27.12.2021.
6. Orders dated:23.02.2023 of Hon'ble High Court in W.P.No.4463 of 2023 filed by Sri P.Nagabhusanam, P&EI(Retired)
7. Representation dated:20.03.2023 from Sri P.Nagabhusanam, P&EI (Retired), East Godavari District
8. From CPE, AP, Vijayawada Lr.Cr.No.6331/2019/CPE/C4, dated:13.04.2023.

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ORDER:

Whereas Sri P.Nagabhusanam, P&EI(Retired), while in service was involved in the Liquor Syndicate case of East Godavari District along with other Prohibition and Excise officials and recommended to place on his before TDP by DG, ACB. After following due procedure, Government entrusted his case to TDP along with other P&E officials. The TDP has issued charge memo against him in TEC Nos.312/2013, dated:03.08.2018. Sri P.Nagabhusanam, P&EI (Retired) was filed W.P.No.3286/2020 before the Hon'ble High Court for set aside the charge memo issued by the TDP. The Hon'ble High Court has passed orders dated: 30.12.2020 directed the respondents to complete the proceedings in all respects within a period of six 6 months from the date of receipt of a copy of the order. Further, he has filed contempt case No.2038 of 2021 for not implementing the orders dated:30.12.2020 in WP.No.3286 of 2020.He was retired from service on 30.06.2019.

2. Whereas, in the reference 5th read above, the Government issued orders releasing all pensionary benefits to Sri P.Nagabhusanam, P&EI (Retired) subject to outcome of the writ appeal filed before the Hon'ble High Court.

3. Whereas in the reference 6th read above, Sri P.Nagabhusanam, P&EI (Retired) has filed W.P.No.4463 of 2023 before the Hon'ble High Court for payment of 9% p.a. interest on delayed Retirement benefits in terms of the orders passed in W.A.No.383 of 2022, dated 12-7-2022.

4. And whereas, the Hon'ble High Court in its order dated 23.02.2023 in W.P.No.4463 of 2023 has passed orders directing the respondent to pay the retirement monetary benefits to be payable and along with interest @ 9% p.a. on the delayed retirement benefits i.e., Full Pension, Gratuity, Encashment of Earned Leave, and Commutation of Pension, from the date of retirement to till the date of actual payments made to the petitioner, in terms of the judgment dated 12.07.2022 passed by the Division Bench of this Court in Writ Appeal No.383 of 2022.

(PTO)

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5. And whereas in the reference 8th read above, the Commissioner of Prohibition & Excise, while enclosing a copy of the representation of Sri P.Nagabhusanam, P&E Inspector (Retired) has requested the Government to take further necessary action for sanction of interest @ 9% on the delayed payments of pensionery benefits to avoid any further legal complication in the matter.

6. Government after careful examination of the matter, and keeping in view of the orders dated 23.02.2023 in W.P.No.4463 of 2023 filed by Sri P.Nagabhusanam, P&E Inspector (Retired), have decided to implement the orders of Hon'ble High Court dated 23.02.2023 and to pay the interest @ 9% p.a. on the delayed pensionery benefits to Sri P.Nagabhusanam, P&E Inspector (Retired).

7. Accordingly, Government hereby order to pay the interest @ 9% p.a. on the delayed pensionery benefits i.e., Full Pension, Gratuity, Encashment of Earned Leave, and Commutation of Pension, from the date of retirement to till the date of actual payments made to Sri P.Nagabhusanam, P&E Inspector (Retired).

8. The Commissioner of Prohibition and Excise shall take further necessary action in the matter, accordingly.

9. This order issues with concurrance of Finance (HR) Department vide their UO.No.FIN 01-HROMISC/59/2023-HRIII, dated:30.06.2023.

Dr. RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri P.Nagabhusanam, P&EI(Retired), through the Commissioner of Prohibition and Excise Department, AP, Vijayawada.
The Commissioner of Prohibition and Excise Department, AP, Vijayawada
Copy to:
The Finance (HR-III) Department, A.P.Secretariat, Velagapudi.
The Accountant General, Andhra Pradesh, Vijayawada.
The Director of Treasuries and Accounts, AP, Vijayawada.
The Dy.Commr of P&E Dept., East Godavari District.
Sc/Sf

//FORWARDED::BY ORDER//

SECTION OFFICER